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March 5, 2020

VIA ECF

The Honorable Valerie Caproni
United States District Judge
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square, Courtroom 443
New York, New York 10007

MEMO ENDORSED

Re: *Interested Lloyds Underwriters v.*
Danzas Corporation d/b/a DHL Global Forwarding
Docket No. 1:19-cv-11493-VEC

Dear Judge Caproni:

We represent plaintiff, Interested Lloyds Underwriters, in this action and write to request an adjournment of the March 13, 2020 Initial Pretrial Conference.

This is a subrogation action against Danzas Corporation d/b/a DHL Global Forwarding for the total loss of cargo transported from South Carolina to Santiago, Chile. Plaintiff insured Pegasus for a shipment of a refrigerated container of 2300 pieces of Dukes mayonnaise from South Carolina to Santiago, Chile. DHL Global Forwarding was engaged as the carrier to transport the shipment and issued a clean bill of lading number SEAU 578945069. The temperature of the refer container was to be set at +18.3 C. The cargo was delivered to DHL Global Forwarding in good order and condition, yet it was received in Santiago, Chile in damaged condition and was a total loss. Thus, Pegasus suffered a total loss of the shipment in the amount of \$42,854.00. Pegasus made a claim against Interested Underwriters under Policy Number B0595JY864018J, which was called upon to pay and have paid the sum of \$42,854.00 to Pegasus, inclusive of a \$5000.00 deductible.

Interested Lloyds Underwriters v. Danzas Corporation d/b/a DHL Global Forwarding
March 5, 2020

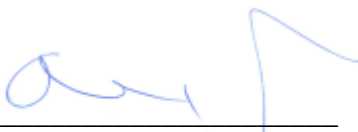
On January 30, 2020, we had requested an adjournment because we were engaged in settlement discussions with defendant. It took us some time to analyze the proper named of the defendant, and we have now filed an amended complaint reflecting the proper corporate entity. We have reached out to defendant with a copy of the pleadings and still need additional time to serve said defendant.

This is our second request for the adjournment, and we have been unable to reach incoming counsel on behalf of defendant to obtain its consent. The proposed alternate dates for the conference are April 10 or April 14, 2020 at 10:00 a.m.

We thank the Court for its time and consideration to these matters.

Very truly yours,

QUINTAIROS, PRIETO, WOOD & BOYER, P.A.
Attorneys for Plaintiff



Alexander Shindler, Esq.

Pursuant to Rule 15(a), Plaintiff must request leave to amend because the amended pleading was not filed within 21 days of service, nor was written consent obtained from the opposing party, who has not yet filed an appearance.

The Court construes the instant letter as a request for leave to file the amended complaint, and the motion is GRANTED retroactively.

The initial conference is adjourned to **April 10, 2020, at 10:00 A.M.** Joint pre-conference submissions are due on or before **April 2, 2020.** The Court is unlikely to grant a third adjournment, even if Plaintiff does not effect service before those deadlines.

SO ORDERED. Date: 03/05/2020



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE